

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARLON MONTTOYA, individually and  
on behalf of all others similarly situated

Plaintiff,

v.

FMS INVESTMET CORP.,

Defendant.


No. C 15-01758 WHA

**ORDER RE RECENTLY FILED  
STIPULATION AND UPCOMING  
CASE MANAGEMENT  
CONFERENCE**

In this putative class action, the parties have filed a stipulation to dismiss the case with prejudice against the individual plaintiff and without prejudice as to the putative class. This case has not been certified as a class action. For now, the parties' stipulation shall be **HELD IN ABEYANCE**. The parties must attend the case management conference scheduled for **ELEVEN A.M. ON NOVEMBER 19, 2015**. At that hearing, the parties shall be prepared to discuss the details of their settlement and the extent to which the case being a putative class action played any role in the settlement discussions.

**IT IS SO ORDERED.**

Dated: November 17, 2015.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE